

# **EXHIBIT C**



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August 14, 2014

**VIA FEDERAL EXPRESS**

Christopher P. Bray  
Ariel Capital Advisors, LLC  
9132 Strada Place, 2<sup>nd</sup> Floor  
Naples, Florida 34108

Re: Infringement of Ariel Investments, LLC's Trademarks

Dear Mr. Bray:

This firm represents Ariel Investments, LLC ("Ariel"). Ariel has learned of and objects to the use of "Ariel Capital Advisors" in connection with investment advisory and related services.

Ariel is the owner of the federally registered marks ARIEL and ARIEL INVESTMENTS for, among other things, investment management and advisory services (Reg. Nos. 1286420 and 3506141, respectively). Copies of Ariel's trademark registrations are enclosed as Exhibit A. These registrations are incontestable, which means that they are conclusive evidence of Ariel's exclusive right to use such marks in commerce. 15 U.S.C. §1115(b).

As you may be aware, Ariel has been engaged in the investment management and advisory business for more than 30 years. During that time, Ariel has heavily promoted its services under its ARIEL marks in prominent national media outlets, such as *The Wall Street Journal* newspaper, *Forbes* magazine, and the *Good Morning America* television program. Ariel also markets and promotes its services using its ARIEL marks online, through its website at [www.arielinvestments.com](http://www.arielinvestments.com) and other sites. As a result of such substantial marketing, promotion and nationwide publicity, the ARIEL marks have become well known and closely associated with Ariel.

Ariel Capital Advisors provides investment advisory and related services as shown on your firm's website at [www.arielcapitaladvisors.com](http://www.arielcapitaladvisors.com). Representative pages from that website are enclosed as Exhibit B.

We believe that your firm's use of the name or mark "Ariel Capital Advisors" and the [arielcapitaladvisors.com](http://arielcapitaladvisors.com) domain name creates a likelihood of confusion with Ariel's ARIEL marks in violation of Ariel's rights. Such a likelihood of confusion is exacerbated by the fact that Ariel was previously known as "Ariel Capital Management" for nearly 25 years.

To avoid such a likelihood of confusion, Ariel requests that your firm cease use of the name or mark "Ariel Capital Advisors," the [arielcapitaladvisors.com](http://arielcapitaladvisors.com) domain name and any other name, mark or domain name which is confusingly similar to Ariel's ARIEL marks.



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Provided that you contact us within ten (10) days of the date of this letter with your written commitment to comply with Ariel's request, Ariel is willing to provide you with a reasonable period of time to transition to a new name and online address. In any event, all of Ariel's rights and remedies are expressly reserved.

We look forward to receiving your written response.

Sincerely,

**MICHAEL BEST & FRIEDRICH LLP**

A handwritten signature in dark ink, appearing to read "Luke W. DeMarte". The signature is written in a cursive, slightly stylized script.

Luke W. DeMarte

Enclosures

cc: Ariel Investments, LLC (via email)

**Int. Cl.: 36**

**Prior U.S. Cl.: 102**

**United States Patent and Trademark Office**

**Reg. No. 1,286,420**

**Registered Jul. 17, 1984**

**SERVICE MARK**

**Principal Register**

**ARIEL**

Ariel Capital Management, Inc. (Illinois corporation)  
Suite 2014  
307 N. Michigan Ave.  
Chicago, Ill. 60601

For: MANAGEMENT OF INVESTMENTS  
AND INVESTMENT FUNDS, in CLASS 36 (U.S.  
Cl. 102).

First use Jan. 10, 1983; in commerce Mar. 23, 1983.

Ser. No. 431,218, filed Jun. 20, 1983.

RUSS HERMAN, Examining Attorney

**Int. Cls.: 16 and 36**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101, and 102**

**United States Patent and Trademark Office** **Reg. No. 3,506,141**  
**Registered Sep. 23, 2008**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ARIEL INVESTMENTS**

ARIEL INVESTMENTS, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
200 E. RANDOLPH DRIVE  
SUITE 2900  
CHICAGO, IL 60601

FOR: PRINTED PUBLICATIONS, NAMELY, REPORTS, EDUCATIONAL MATERIALS, NEWSLETTERS, PAMPHLETS AND PERIODICALS FEATURING INVESTMENT NEWS AND COMMENTARY, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 4-30-2008; IN COMMERCE 4-30-2008.

FOR: INVESTMENT ADVISORY SERVICES; INVESTMENT MANAGEMENT; MUTUAL FUND BROKERAGE, DISTRIBUTION AND INVESTMENT; FINANCIAL SPONSORSHIP OF CULTURAL AND PERFORMING ARTS EVENTS; PROVIDING ON-LINE INFORMATION IN THE FIELD OF IN-

VESTMENTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-30-2008; IN COMMERCE 4-30-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,286,420, 2,772,980, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "INVESTMENTS", APART FROM THE MARK AS SHOWN.

SN 77-209,986, FILED 6-19-2007.

IRA J. GOODSaid, EXAMINING ATTORNEY

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**ARIEL CAPITAL**  
ADVISORS, LLC

## Welcome

Ariel Capital Advisors, LLC is a boutique professional firm providing institutional private wealth management services to individuals and families throughout the United States.

## Our People

The professionals of Ariel Capital Advisors, LLC have worked with individuals and families as executives, members, and associates of accounting firms, law firms, trust companies, family offices, investment firms and banks.

## Our Services

Ariel Capital Advisors, LLC focuses on providing customized solutions designed and implemented according to each client's unique circumstances.

## Contacts

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(239) 451-6008

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Christopher J. Squitieri   Kimberly S. Wilmore   Marcie A. Rebarbo   Michael A. Harris, CFA

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## Our Services

### INVESTMENT MANAGEMENT

Ariel Capital Advisors, LLC focuses on providing customized investment management solutions designed and implemented according to each client's unique circumstances. Every investment strategy is aligned with our client's best interests and tailored to their financial goals and objectives. We have the capability to meet our client's needs by using proprietary portfolio management, open architecture (separately managed third-party investment managers) and hybrid approaches.

### TAX AND ESTATE PLANNING

Ariel Capital Advisors, LLC provides a variety of tax, financial, and estate planning services for our clients. Each family has a dedicated team of professionals working together to integrate and oversee every aspect of our client families' financial situations.

### PERSONAL FINANCIAL PLANNING

Ariel Capital Advisors, LLC provides comprehensive personal financial planning for clients including short term and long term cash flow planning, retirement cash flow and asset accumulation planning, liability management and risk management planning. Our personal financial planning services are an integral element of the overall wealth management relationship that we have with each client.

### TRUST SERVICES

We understand that trustee selection is a difficult choice for many clients. Most clients lean toward selecting a trusted friend or family member when choosing a trustee. However, a trustee's duties can be extensive. Most states have adopted the Uniform Trust Code, which establishes statutory criteria for a trustee in the performance of his or her duties. For an individual trustee, navigating statutory requirements related to the performance of a trustee's fiduciary duties can be a daunting task. Ariel Capital Advisors, LLC can help by providing clients with comprehensive trustee support services.